

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

REGINALD L. BRAZELL,)
Petitioner,)
v.) CIV-07-285-R
ERIC FRANKLIN, et al.,)
Respondents.)

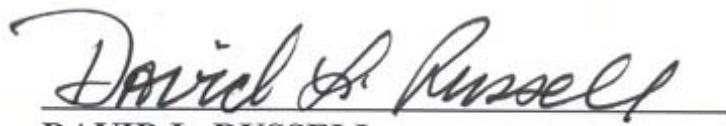
ORDER

Before the Court are the Report and Recommendation of United States Magistrate Judge Robert E. Bacharach entered May 31, 2007 [Doc. No. 17] and Petitioner's Objection to the Magistrate's Report and Recommendation [Doc. No. 20] filed June 18, 2007. Pursuant to 28 U.S.C. § 636(b)(1)(B), the Court has reviewed the Report and Recommendation *de novo* in light of Petitioner's Objection.

Petitioner’s Objection consists almost exclusively of conclusory statements that he “objects to the report and recommendation” and “should receive habeas relief.” Some of Petitioner’s objections, e.g., to the Magistrate’s conclusion that the Oklahoma Attorney General is an improperly named respondent, are incomprehensible. Petitioner’s citation to Oklahoma cases requiring instruction on lesser included offenses is unavailing because, as the Magistrate Judge explained, there is no federal constitutional right to instructions on lesser-included offenses, *see* Report and Recommendation at p. 7 & note 6, and habeas relief is not available solely for state law errors. *Id.* at p. 4 & note 5. The Magistrate thoroughly and correctly analyzed each of Petitioner’s claims. Petitioner’s objections are without merit.

Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety, the Oklahoma Attorney General is DISMISSED as a Respondent and the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DENIED.

It is so ordered this 20th day of June, 2007.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE